

**ASSEMBLY BILL**

**No. 2346**

**Introduced by Assembly Member Dickerson**

February 21, 2002

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An act to amend Section 830.1 of the Penal Code, relating to peace officers.

LEGISLATIVE COUNSEL'S DIGEST

AB 2346, as introduced, Dickerson. Peace officers: deputy sheriffs.

Existing law defines specified powers, rights, duties, and training requirements for peace officers, and provides that any deputy sheriff, employed in that capacity by a county, is a peace officer whose authority extends to any place in the state with regard to offenses committed within his or her home jurisdiction, and any offense committed in his or her presence where there is immediate danger to person or property or the escape of the perpetrator, or where there is probable cause to believe these situations exist. Existing law also provides that a deputy sheriff of a county of the first class and any deputy sheriff of the County of San Diego, who is assigned to perform duties relating to specified custodial assignments is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when directed to perform other law enforcement duties during a local state of emergency.

This bill would provide that this latter provision is applicable to deputy sheriffs employed by the Counties of Kern, Plumas, Siskiyou, Sutter, and Tehama.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 830.1 of the Penal Code is amended to  
2 read:

3 830.1. (a) Any sheriff, undersheriff, or deputy sheriff,  
4 employed in that capacity, of a county, any chief of police of a city  
5 or chief, director, or chief executive officer of a consolidated  
6 municipal public safety agency which performs police functions,  
7 any police officer, employed in that capacity and appointed by the  
8 chief of police or chief, director, or chief executive of a public  
9 safety agency, of a city, any chief of police, or police officer of a  
10 district (including police officers of the San Diego Unified Port  
11 District Harbor Police) authorized by statute to maintain a police  
12 department, any marshal or deputy marshal of a municipal court,  
13 any port warden or special officer of the Harbor Department of the  
14 City of Los Angeles, or any inspector or investigator employed in  
15 that capacity in the office of a district attorney, is a peace officer.  
16 The authority of these peace officers extends to any place in the  
17 state, as follows:

18 (1) As to any public offense committed or which there is  
19 probable cause to believe has been committed within the political  
20 subdivision which employs the peace officer.

21 (2) Where the peace officer has the prior consent of the chief  
22 of police or chief, director, or chief executive officer of a  
23 consolidated municipal public safety agency, or person authorized  
24 by him or her to give consent, if the place is within a city or of the  
25 sheriff, or person authorized by him or her to give consent, if the  
26 place is within a county.

27 (3) As to any public offense committed or which there is  
28 probable cause to believe has been committed in the peace  
29 officer's presence, and with respect to which there is immediate  
30 danger to person or property, or of the escape of the perpetrator of  
31 the offense.

32 (b) Special agents and Attorney General investigators of the  
33 Department of Justice are peace officers, and those assistant chiefs,  
34 deputy chiefs, chiefs, deputy directors, and division directors  
35 designated as peace officers by the Attorney General are peace



1 officers. The authority of these peace officers extends to any place  
2 in the state where a public offense has been committed or where  
3 there is probable cause to believe one has been committed.

4 (c) Any deputy sheriff of a county of the first class, and any  
5 deputy sheriff of the Counties of *Kern, Plumas, Riverside* ~~and~~, San  
6 Diego, *Siskiyou, Sutter, and Tehama* who is employed to perform  
7 duties exclusively or initially relating to custodial assignments  
8 with responsibilities for maintaining the operations of county  
9 custodial facilities, including the custody, care, supervision,  
10 security, movement, and transportation of inmates, is a peace  
11 officer whose authority extends to any place in the state only while  
12 engaged in the performance of the duties of his or her respective  
13 employment and for the purpose of carrying out the primary  
14 function of employment relating to his or her custodial  
15 assignments, or when performing other law enforcement duties  
16 directed by his or her employing agency during a local state of  
17 emergency.

